

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

CUTTING EDGE VISION, LLC,
an Arizona Limited Liability Company,

Plaintiff,

v.

TCL TECHNOLOGY GROUP
CORPORATION, TCL ELECTRONICS
HOLDINGS LIMITED, TCL
COMMUNICATION TECHNOLOGY
HOLDINGS LIMITED, and TCL
COMMUNICATION LIMITED,

Defendants.

Civil Action No.: 6:22-CV-00285-ADA

TRIAL BY JURY DEMANDED

CLAIM CONSTRUCTION ORDER

Before the Court are the Parties' claim construction briefs: Defendant TCL Technology Group Corporation, TCL Electronics Holding Limited, TCL Communication Technology Holdings Limited, and TCL Communication Limited's ("TCL") Opening and Reply Claim Construction Briefs (ECF No. 44 and 46, respectively), Plaintiff Cutting Edge Vision, LLC's ("Cutting Edge") Responsive and Sur-Reply Claim Construction Briefs (ECF No. 45 and 48, respectively. On February 1, 2023, the Court provided the parties with its Preliminary Claim Constructions, and on February 2, 2022, the Court held a *Markman* hearing. The Court issues this Order to memorialize the Court's final claim construction rulings for the parties, and to inform the parties that the Court plans to issue a more-detailed Order explaining its analysis in due course. The deadline to file any objections to the undersigned's claim construction rulings

(pursuant to Federal Rules of Civil Procedure 59 and 72) do not need to be filed until 14 days after that more fulsome Order is entered upon the docket.

SIGNED this 2nd day of February, 2023.



Derek T. Gilliland
United States Magistrate Judge

THE COURT'S CONSTRUCTIONS

Claim Term	CEV's Proposed Construction	TCL's Proposed Construction	Court's Final Construction
“controller” ('761 Patent Claim 1; '472 Patent Claims 1 and 5) (Proposed by: TCL)	Not 112 ¶6. Plain and ordinary meaning. No construction necessary.	Indefinite, 112 ¶6 Function: “(i) receive, via the touch sensitive display, a user selection of an upload option that instructs the device to confine automatic picture upload to periods without potential cellular network access fees; (ii) automatically connect to a remote picture hosting service and cause an upload of one or more pictures stored in the non-volatile memory to the remote picture hosting service via the cellular interface” ('761 Patent Claim 1); “(i) receive, via the touch sensitive display, a user selection of an upload option that instructs the camera system to confine automatic picture upload to periods without potentially increased cellular network access fees; (ii) automatically connect to a picture hosting service that is internet-based and enable an upload to the picture hosting service, over the internet and via the	Not 112 ¶6. Plain and ordinary meaning.

	<p>cellular interface, of a group of image sensor-captured pictures stored in the local memory, during any period detected by the controller in which all three of the following conditions are met” ('472 Patent Claim 1);</p> <p>“(i) display on the touch sensitive display a user-selectable input that instructs the camera system to confine automatic picture upload to periods without potentially increased cellular network access fees;</p> <p>(ii) automatically connect to a picture hosting service that is internet-based and enable an upload to the picture hosting service, over the internet and via the cellular interface, of a group of image sensor-captured pictures stored in the local memory, during any period detected by the controller in which all the following conditions are met” ('472 Patent Claim 5)</p> <p>Structure: non-disclosed (Indefinite)</p>		
“ instructs ”	Plain and ordinary meaning. No construction necessary.	Indefinite.	Plain and ordinary meaning.

(’761 Patent Claim 1; ’472 Patent Claims 1 and 5) (Proposed by: TCL)			
“the device” (’761 Patent Claim 1) (Proposed by: TCL)	“The device” is “the camera system,” and the plain and ordinary meaning of “the camera system” applies so no further construction is necessary.	Indefinite.	“The device” is “the camera system,” and is not indefinite.
“periods without potential cellular network access fees” (’761 Patent Claim 1) (Proposed by: TCL)	Plain and ordinary meaning. No construction necessary.	Indefinite.	Plain and ordinary meaning.
“upload ... pictures” (’761 Patent Claim 1; ’472 Patent Claims 1 and 5) (Proposed by: TCL)	Plain and ordinary meaning. No construction necessary.	Indefinite.	Plain and ordinary meaning.
“indication from the local memory” (’761 Patent Claim 1) (Proposed by: TCL)	Plain and ordinary meaning. No construction necessary.	Indefinite.	Plain and ordinary meaning.

“group of ... pictures” (’761 Patent Claim 1; ’472 Patent Claims 1 and 5) (Proposed by: TCL)	Plain and ordinary meaning. No construction necessary.	Indefinite.	Plain and ordinary meaning.
“periods without potentially increased cellular network access fees” (’472 Patent Claims 1 and 5) (Proposed by: TCL)	Plain and ordinary meaning. No construction necessary.	Indefinite.	Plain and ordinary meaning.